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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
Date: June 29, 2005 Name: Magdalena O. Cilella, Ph.D. Signature: *Magdalena Cilella*

BRINKS
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& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Atsuhiko Shinmyo et al.

Appln. No.: 10/049,710

Filed: September 4, 2002

For: METHOD OF INDUCING GENE
EXPRESSION IN PLANT AND PLANT
TREATED THEREBY

Examiner: Collins, Cynthia
E.

Art Unit: 1638

Attorney Docket No: 5404-18

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Amendment And Response.
☒ Return Receipt Postcard.

Fee calculation:

- ☒ No additional fee is required.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+ \$180=			+ \$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Date

6/29/05

Respectfully submitted,

Magdalena Cilella

Magdalena O. Cilella, Ph.D. (Reg. No. 56,619)
Agent for Applicants



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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313
on June 29, 2005

Date of Deposit

Magdalena O. Cilella, Ph.D., Reg. No. 56,619

Name of applicant, assignee or
Registered Representative

Magdalena Cilella

Signature

6/29/05

Date of Signature

Our Case No. 5404-18

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Atsuhiko Shinmyo et al.

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AMENDMENT AND RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Response is provided with respect to the Office Action mailed March 30, 2005.

Amendments to the Claims are reflected in the listing of claims, which begins on page 3 of this paper.

Claim Status begins at page 7 of this paper.

Application No.: 10/049,710
Amendment and Response dated June 29, 2005
Reply to Office Action of March 30, 2005

Arguments/Remarks begin on page 8 of this paper.